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A.—(*a*) & (*b*) The Government have no information.

(*c*) Under section 1 of the Madras Irrigation Cess Act, it is lawful for the Government to levy a *separate* cess for water.

Mr. K. A. Nachiyappa Gounder:—" In answer to clauses (*a*) and (*b*), the Government say they have no information. May I request the Government to call for the information and furnish the same to the House."

The Hon. Mr. C. A. Souter:—" I see no reason to do it."

Legality of the levy of water-rate on paimash garden lands in Salem district.

* 451 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the agraharamdars of Bommalapalayam in Namakkal taluk gave notice of suit for the levy of water-rate on paimash garden lands in or about the year 1925;

(*b*) if so, whether the Government on a report from the Board of Revenue decided not to levy water-rate on paimash garden lands in that agraharam and ordered a refund of the moneys already collected;

(*c*) whether the Government further directed that no charge should be made in future for irrigation by lift;

(*d*) whether a copy of the report and the orders referred to in clauses (*b*) and (*c*) will be placed on the table;

(*e*) whether it is a fact that in spite of these decisions and elaborate enquiries prior to them, the Revenue Officers in Salem district issued a demand for the collection of enhanced water-rate on paimash garden lands for fasli 1344; and

(*f*) whether the issue of demand was made after consulting legal advisers; if so, whether a copy of the legal opinion obtained will be placed on the table; if not, why not?

A.—(*a*) Yes.

(*b*) & (*c*) The Government, on the recommendation of the Board of Revenue, directed in 1925 that no charge should be levied in future for irrigation by lift of the garden lands of the Bommalapalayam agraharam village from the Raja channel, and that the amount of water-cess already collected, the recovery of which was not barred by limitation, should be refunded.

(*d*) No.

(*e*) It is probable that such a demand was issued, as since the decision of 1925, the position has been altered by the construction of the Mettur Dam, and the issue of new rules for the levy of water-cess.

(*f*) The whole question is under the consideration of the Government.

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Mr. K. A. Nachiyappa Gounder :—" It is said, Sir, in answer to (b) and (c) that the Government directed in 1925 that no charge should be levied in future for irrigation, etc. May I ask, Sir, what prompted the Government to levy the charge now? "

The Hon. Mr. C. A. Souter :—" Government are not aware that it has been done. The answer to (e) says that it is probable that such a demand was issued. Government are not aware of what has been done."

Mr. K. A. Nachiyappa Gounder :—" With reference to (d), Government say 'No.' May I know what difficulty there is in placing it on the table? "

The Hon. Mr. C. A. Souter :—" Government do not think it right to place the report on the table."

Appeals under the Irrigation Cess Act, 1865.

* 452 *Q.*—Mr. K. A. Nachiyappa Gounder : Will the Hon. the Member for Revenue be pleased to state—

(*a*) how many appeals have been brought before the Government in the matter of levy of water-rate under the Irrigation Cess Act, 1865, in each year for the past ten years (districtwar figures may be furnished if possible) ; and

(*b*) of these, how many have been allowed and how many dismissed?

A.—The particulars are not available and cannot be compiled without an expenditure of time and labour wholly incommensurate with the value of the results.

Mr. K. A. Nachiyappa Gounder :—" Sir, is it not possible to furnish the information since the Revenue Member said the other day that there were not many such cases and as this information can be easily available from the appeal registers that may be maintained in the Secretariat? "

The Hon. Mr. C. A. Souter :—" I think, if the House would read the questions they would agree with the answer given by the Government."

Appeals under the Madras Land Encroachment Act, 1905.

* 453 *Q.*—Mr. K. A. Nachiyappa Gounder : Will the Hon. the Member for Revenue be pleased to state—

(*a*) how many appeals have been brought before the Government in the matter of encroachment under the Madras Land Encroachment Act, 1905, in each year for the past ten years (districtwar figures may be furnished if possible) ; and

(*b*) of these, how many have been allowed and how many dismissed?

A.—The particulars are not available and cannot be compiled without an expenditure of time and labour wholly incommensurate with the value of the result.